No. 01-10940-CFH Title: James Edward Price, Petitioner
v.
United States

Docketed: June 25, 2002 Court: United States Court of Appeals for the Fifth Circuit

Entry	Date	Proceedings and Orders
	Jun 18 2002	Petition for writ of certiorari and motion for leave to proceed in forma pauperis filed. (Response due September 30, 2002)
	Jul 1 2002	Waiver of right of respondent United States to respond filed.
	Jul 11 2002	DISTRIBUTED for Conference of September 30, 2002
	Jul 31 2002	Response requested. (Due August 30, 2002)
	Aug 20 2002	Order extending time to file response to petition until September 30, 2002.
	Sep 30 2002	Brief of respondent United States in opposition filed.
	Oct 10 2002	REDISTRIBUTED for Conference of November 1, 2002
	Oct 15 2002	Reply brief of petitioner James E. Price filed.
	Nov 4 2002	REDISTRIBUTED for Conference of November 8, 2002
	Nov 12 2002	REDISTRIBUTED for Conference of November 15, 2002
	Nov 22 2002	REDISTRIBUTED for Conference of November 27, 2002
	Dec 2 2002	REDISTRIBUTED for Conference of December 6, 2002
	Dec 9 2002	REDISTRIBUTED for Conference of December 13, 2002
	Jan 6 2003	REDISTRIBUTED for Conference of January 10, 2003
	Jan 13 2003	REDISTRIBUTED for Conference of January 17, 2003
	Jan 21 2003	Petition GRANTED. Judgment VACATED and case REMANDED for further consideration in light of United States v. LaBonte, 520 U.S. 751, 759-760 (1997), and the Solicitor General's acknowledgement that the Court of Appeals "erred in concluding that petitioner's drug possession offense qualified as a predicate felony" under 18 U.S.C. Sec. 924(c) in the absence of notice under 21 U.S.C. Sec. 851(a). Brief in Opposition 12. Dissenting opinion of Justice Scalia with whom the Chief Justice and Justice Thomas join. Dissenting opinion of Justice Kennedy. (Detached opinion.)

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IPP